

FORM K

RELEASE OF COVENANT, RELEASE OF SURETY
(Certificate of Completion of Definitive Subdivision Plan)

This is a sample form. The form submitted to the Planning Board shall be prepared as an original document. The Developer should not attempt to "fill in the blanks" on this copy.

WHEREAS, a definitive subdivision plan entitled ___, was approved by the Lexington Planning Board on ___, 20___ and a covenant was executed by ___ on ___, 20___, and such plan and covenant were recorded in the Middlesex South District Registry of Deeds, Book ___, Page ___, and/or registered in ___ Registry District of the Land Court, as Document No. ___, and noted on Certificate of Title No. ___, Registration Book ___, Page ___; and

WHEREAS, on ___, 20___, the Planning Board accepted surety in the form of ___ (type of surety) to secure performance of the construction of the ways and installation of municipal services and voted to release lot numbers: ___ as shown on the subdivision plan; and

WHEREAS, on ___, 20___, the Engineering Department of the Town of Lexington received a complete set of "as built" plans which it retains in its records, and the Town Engineer on ___, 20___, informed the Planning Board that all required work on such subdivision has been fully and satisfactorily completed,

NOW THEREFORE, the undersigned, being a majority of the Planning Board of the Town of Lexington, Massachusetts, hereby certify that in the opinion of the Planning Board the construction of ways and installation of municipal services have been fully and satisfactorily completed by the applicant in accordance with the definitive subdivision plan and with the Planning Board's Development Regulations to serve all lots in the subdivision.

Pursuant to Section 81-U of Chapter 41, M.G.L. and in consideration of completion of said construction and installation, the Lexington Planning Board hereby releases ___ (the applicant/person who executed covenant) from the provisions of the covenant and releases its interest in the performance surety.

Executed as a sealed instrument this ____ day of ____ 20____ by a majority of the Planning Board in the Town of Lexington.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

_____, 20

Then personally appeared _____, of the above-named members of the Planning Board, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

Notary Public

My Commission Expires: